

APPENDIX A
No.: 09/223,660

Patent
Docket No. 237/117US
OI7011522001

Certificate of Mailing/Transmission (37 C.F.R. § 1.10):

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" (Express Mail Label No. EV348154738US under 37 CFR § 1.10 on the date indicated and is addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 28, 2006

Name of Person Certifying:

Cynthia Dawn

Printed Name: Cynthia Dawn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wei Ming Hu, Juan R. Loaiza

Assignee: Oracle Corporation

Filing Date: December 30, 1998

Examiner: Tim T. Vo

Application No.: 09/223,660

Group Art Unit: 1277

Title: Method and System for Diagnostic Preservation of the State of a Computer System

**DECLARATION OF GERALD CHAN IN SUPPORT OF RENEWED PETITION TO
WITHDRAW HOLDING OF ABANDONMENT NO FEE REQUIRED PURSUANT TO
37 C.F.R. §1.137(a)**

Please deliver to Paul Shanoski
C/O Office of Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Gerald Chan, declare and state as follows:

1. I am an associate with Bingham McCutchen LLP and a registered patent attorney.
2. I am the attorney of record responsible for filing and prosecution of the above identified patent application, entitled "Method and System for Diagnostic Preservation of the State of a Computer System," Application Serial No. 09/223,660.
3. A search of the prosecution file and docket records of the above-identified application have been conducted.
4. After careful review of the file jacket and docket records, attached herewith as Exhibit A, for Application No. 09/223,660, I believe that the Notice of Allowance and Issue Fee Due were not received by the practitioner, Gerald Chan.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and

further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Date: June 28, 2006

By: 
Gerald Chan

BINGHA#	701152-2001									PRINTED ON:	6/20/2006							
COUNTRY	US	UNITED STATES			TITLE						PRIOR	12/30/1998						
NEW/CON	NEW	SERIAL#	09/223,660		METHOD AND SYSTEM FOR DIAGNOSTIC PRESERVATION OF THE STATE OF A COMPUTER SYSTEM						MAIL	12/30/1998						
RELATED		PATENT#									FILE	12/30/1998						
TYPE	UTL	STATUS	PENDING								PUBL							
CLIENT	2021039	ORACLE CORPORATION			1	CREF	OID-1998-18-01								ISSUE			
AGENT						AREF							1ST	12/30/1998				
													EXP	12/30/2018				

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P		
MS	N	MISSING PARTS	2/3/1999	2M	4/3/1999		4/3/1999	0	3/18/1999	0 M	Y	Y	Y		
NF	N	SEND P-1 TO CLIENT	12/30/1998	8M	8/30/1999		8/30/1999	0	11/23/1999	0 M	Y	Y	Y		
FE	N	SEND P-2 TO INTL	12/30/1998	261D	9/17/1999		9/17/1999	0	11/23/1999	0 M	Y	Y	Y		
RM	N	FOREIGN FILING REMIN	12/30/1998	9M	9/30/1999		9/30/1999	0	11/23/1999	0 M	Y	Y	Y		
ST	N	SEND P-4 TO CLIENT	12/30/1998	9M	9/30/1999		9/30/1999	0	11/23/1999	0 M	Y	Y	Y		
AU	N	SEND P-5 TO CLIENT	12/30/1998	10M	10/30/1999		10/30/1999	0	11/23/1999	0 M	Y	Y	Y		
	Y	NO FOREIGN FILING	11/23/1999										Y	Y	Y
P6	N	SEND P-6 TO INTL	12/30/1998	11M	11/30/1999		11/30/1999	0	11/23/1999	0 M	Y	Y	Y		
	Y	NO FOREIGN FILING	12/6/1999										Y	Y	Y
FU	N	CONV DEADLINE PA FF	12/30/1998	12M	12/30/1999		12/30/1999	0	11/23/1999	0 M	Y	Y	Y		
##	Y	CONFIRMATION NUMBER	12/18/2000										Y	Y	Y
1277															
AE	N	AMENDMENT DUE	6/8/2001	3M	9/8/2001		9/8/2001	0	9/10/2001	0 M	Y	Y	Y		
MK	Y	INCOMING MAIL (ATTY)	2/26/2002										Y	Y	Y
ADVISORY ACTION REC'D 3/4/02															
ML	Y	INCOMING MAIL	4/15/2002										Y	Y	Y
REPLACEMENT FILING RECEIPT REC'D 4/22/02															
RE	N	RESPONSE TO OA	5/6/2002	3M	8/6/2002	31	11/6/2002	3	7/5/2002	1 M	Y	Y	Y		
D/LINE 11/6/2002;															
AI	Y	ADVISORY ACTION	12/30/2002												
FR	N	FINAL REJECTION	10/1/2002	3M	1/1/2003	31	4/1/2003	0	12/2/2002	1 M	Y	Y	Y		
D/LINE 4/1/2003;															
AB	N	APPEAL BRIEF	1/31/2003	2M	3/31/2003	51	8/31/2003	1	4/3/2003	1 M	Y	Y	Y		
D/LINE 8/31/2003;															
NA	N	NOTICE OF APPEAL	10/1/2002	6M	4/1/2003		4/1/2003	0	1/31/2003	1 M	Y	Y	Y		
D/LINE 4/1/2003;															
OH	N	REQUEST ORAL HEARING	7/2/2003	2M	9/2/2003		9/2/2003	0	7/2/2003	1 M	Y	Y	Y		
NG	N	REPLY - NEW GROUNDS	7/2/2003	2M	9/2/2003		9/2/2003	0	8/27/2003	1 M	Y	Y	Y		
D/LINE 9/2/2003;															
NR	N	REPLY - NEW ARGUMENT	7/2/2003	2M	9/2/2003		9/2/2003	0	8/27/2003	1 M	Y	Y	Y		
D/LINE 9/2/2003;															
SC	N	STATUS CHECK	4/4/2003	6M	10/4/2003		10/4/2003	0	7/7/2003	1 M	Y	Y	Y		
Notice of Allowance.															

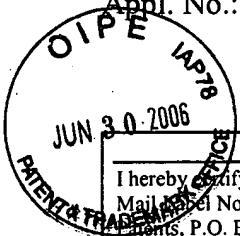
SC	N	STATUS CHECK	8/27/2003	20	M	4/27/2005			4/27/2005	0	3/28/2005	1	M	Y	Y	Y
REPLY BRIEF FILED; Reply brief acknowledgement mailed 9/29/03.																
NB	Y	NTC OF ABANDONMENT	2/27/2006													
SC N STATUS CHECK 3/24/2005 12 M 3/24/2006 3/24/2006 0 3/6/2006 1 M Y Y Y																
Decision on Appeal mailed 3/24/05. The rejection of claims 1-72 is reversed.																
RQ	N	REQ RECONSIDERATION	2/27/2006	2	M	4/27/2006			4/27/2006	0	4/13/2006	1	M	Y	Y	Y
Notice of Abandonment received 3/6/2006																
RQ	N	REQ RECONSIDERATION	5/24/2006	2	M	7/24/2006			7/24/2006	0		1	M	Y	Y	Y
Petition to Revive dismissed.																
SC	N	STATUS CHECK	4/13/2006	6	M	10/13/2006			10/13/2006	0	5/26/2006	1	M	Y	Y	Y
Petition to Revive, Issue Fee, and corrected drawings filed.																

INVENTORS	ASSIGNEES	TERMS
LOAIZA JUAN R	ORACLE INTERNATIONAL CORPORATION	REC'D: 03/25/1999
HU WEI MING		REEL: 9855
		FRAME:0905-0907

USER-DEFINABLE FIELDS				PATENT FIELDS			
SBST	237/117US	SMALL ENTITY	NO	ART UNIT			
SBDT	12/30/1998	CLAIMS		EXAMINER			
PUBL#		PUBLICATION#		CONFIRM#			
P02706US00	ENTERED 3/16/1999	MODIFIED 5/26/2006 BY EJF		ATTORNEYS	PCM / PCM	/ LAM	

NOTES

RECORDATION DATE: 3/11/2003 - REEL/FRAME: 013797/0613; APPEAL #: 2004-0268;



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Cynthia Dawn

Printed Name: Cynthia Dawn

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**RENEWED PETITION TO WITHDRAW HOLDING OF ABANDONMENT NO FEE
REQUIRED PURSUANT TO 37 C.F.R. §1.137(a)**

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C/O Office of Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This petition under 37 CFR §1.137(a) is to request withdrawal of the holding of abandonment, and reinstatement of the above-referenced patent application.

On May 26, 2006, the undersigned received a Decision on Petition, dismissing the petition filed April 13, 2006, under 37 C.F.R. §1.137(a), to revive the above-identified application.

On February 27, 2006, a notice of abandonment was mailed, stating that the above-identified application was abandoned due to "*Applicant's failure to timely file a proper reply to the Notice of Allowance and Issue Fee Due, mailed on July 12, 2005*". The notice of abandonment was received by Bingham McCutchen on March 8, 2006, as confirmed by the Bingham McCutchen the IP Docket Department stamp, attached as Attachment A hereto.

However, because the Notice of Allowance and Issue Fee Due was never actually received by Bingham McCutchen LLP, it is respectfully requested that the notice of abandonment be withdrawn, pursuant to MPEP §711.03(C) I.A. A declaration of the undersigned is submitted in support of this petition, together with a copy of the docket report for this application showing that the office action was never received.

According to the Decision on Petition, the submitted drawings are not accepted. Applicant hereby submits corrected drawings.

Favorable action on this petition is respectfully requested.

Although no fee is believed to be required, the Commissioner is hereby authorized to charge any fee which may be required, or credit any overpayment to Deposit Account No. 50-2518.

DATE: June 28, 2006

Respectfully submitted,

By:


Gerald Chan
Registration No. 51,541

Bingham McCutchen LLP
Three Embarcadero Center
San Francisco, California 94111
Telephone: (650) 849-4960
Telefax: (650) 849-4800

Enclosures: 1) Notice of Abandonment
2) Issue Fee Transmittal
3) Corrected Drawings
4) Declaration by Practitioner with copy of docket (Exhibit A)